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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,811	06/26/2003	Takeru Matsuoka	239476US2	2777
22850	7590	01/26/2004		
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
CLARK, SHEILA V				
ART UNIT		PAPER NUMBER		
2815				

DATE MAILED: 01/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/603,811	Applicant(s) MATSUOKA ET AL.	
	Examiner S. V. Clark	Art Unit 2815	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6,7,9,10,13 and 14 is/are rejected.
- 7) ☒ Claim(s) 5,8,11 and 15 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>8/14/03</u> | 6) <input type="checkbox"/> Other: _____ |

Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear what is structurally meant by "reaches" in this claims.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-4, 6, 7 in so far as definite are rejected under 35 U.S.C. 102(a) as being anticipated by Morozumi.

Morozumi teaches in figures 3 and 4 forming a stacked barrier layers including a copper layer (see col. 8, line13-16) interconnect line buried in an insulating interlayer film 22 a pad area 80 connected to said line comprises a copper metal 82 and aluminum layer 84 buried therein.

Morozumi also teaches in col. 12, lines 5-7 that a titanium alloy layer may be formed on a bottom surface and therefore a surface of the aluminum layer.

Claims 9, 10, 12, 13, 14 are rejected under 35 U.S.C. 102(a) as being anticipated by Morozumi.

Morozumi teaches in figures 3 and 4 forming a stacked barrier layers including a copper layer (see col. 8, line13-16) interconnect line buried in an insulating interlayer film 22 a pad area 80 connected to said line comprises a copper metal 82 and aluminum layer 84 buried therein.

Morozumi also teaches in col. 12, lines 5-7 that a titanium alloy layer may be formed on a bottom surface and therefore a surface of the aluminum layer.

Figure 6 shows pad shape and col. 13, line 50, teaches that said pad might be formed of many shapes including annular shapes.

The steps of defining, depositing (col. 11, line 60 and removing (col. 12, line 44, planarization) are taught by Morozumi.

Claims 1-4, 6, 7, 9, 10, 12, 13, 14 are rejected.

Claims 5, 8, 11, 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

These claims contain references to the use of a compound formed of three materials (aluminum, titanium and copper), which are deemed allowable over the prior art of record.

Chiang et al, Fujisawa et al, Le et al, Harada et al and Chen et al are cited to show pads formed of at least one of copper and aluminum.

Any inquiry concerning this communication should be directed to S. V. Clark at telephone number 703 308-4924.


S. V. Clark
Primary Examiner
Art Unit 2815

January 11, 2004